

## **REMARKS**

Applicants respectfully request reconsideration of the present case in view of the above amendments and the following remarks.

Claims 11, 12, and 30 have been canceled. Claims 1-6 and 13-29 are currently pending. Claims 1 and 25 have been amended. No new matter has been inserted. Support for the amendment of claim 1 can be found in claims 11 and 12. Claim 25 was simply amended for clarification.

### **35 U.S.C. § 112**

Claim 25 was rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Applicants respectfully traverse this rejection.

While not conceding the correctness of the Examiner's position, in the interest of advancing prosecution, Applicants have amended claim 25 to obviate this rejection. Applicants respectfully request that this rejection be withdrawn.

### **35 U.S.C. § 102(b)**

Claims 1-5, 13-14, 17-18 and 30 were rejected under 35 U.S.C. § 102(b) as anticipated by Myerson, US 5,501,836. Applicants respectfully traverse this rejection.

Applicants have incorporated the limitations of claims 11 and 12 into claim 1. Myerson fails to disclose or suggest "a second polymeric matrix covering all of the first polymeric matrix except for an edge of the first polymeric matrix, the second polymeric matrix impermeable to volatile bases generated by decomposing food" as required by claim 1. Therefore, Myerson does not teach or suggest the invention of claim 1. As claims 2-6, 13-18, and 23-25 depend on claim 1, they are also not anticipated or suggested. Applicants respectfully request that this rejection be withdrawn.

### **35 U.S.C. § 103(a)**

Claims 1-6, 11-18, 23-25 and 30 were rejected under 35 U.S.C. § 103(a) over Wolfbeis (US 5,407,829) in view of Attar (US 4,840,919), Balderson (US 5,439,648), Kanakkanatt (US

5,501,945), Mallow (US 5,183,7863) and Myerson as explained above. Applicants respectfully traverse this rejection.

As described above, Myerson fails to disclose or suggest "a second polymeric matrix covering all of the first polymeric matrix except for an edge of the first polymeric matrix, the second polymeric matrix impermeable to volatile bases generated by decomposing food" as required by claim 1. Wolfbeis, Attar, Balderson, Kanakkanatt, and Mallow fail to cure the deficiencies of Myerson.


Wolfbeis, Attar, Balderson, and Kanakkanatt all fail to disclose or suggest "a second polymeric matrix covering all of the first polymeric matrix except for an edge of the first polymeric matrix, the second polymeric matrix impermeable to volatile bases generated by decomposing food" as required by claim 1. Therefore, the combination of Myerson, Wolfbeis, Attar, Balderson, Kanakkanatt, and Mallow fail to disclose or suggest the invention of claim 1. As claims 2-6, 13-18, and 23-25 depend on claim 1, they are also not suggested. Applicants respectfully request that this rejection be withdrawn.

#### Summary

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

4/6/05  
Date

  
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